

4VAC15-260-85 (New)

Game: Waterfowl and Waterfowl Blinds: Non-riparian stationary blinds adjacent to certain department-owned properties.

Summary:

The proposal is to prohibit non-riparian stationary blinds on the public waters adjacent to any department Wildlife Management Area or Wildlife Conservation Site. This will provide more equitable public waterfowl hunting opportunities on the public waters within and adjacent to these properties.

Proposed language of amendment:

4 VAC 15-260-85. Non-riparian stationary blinds adjacent to certain department-owned properties.

A. Non-riparian stationary waterfowl blinds shall not be erected or licensed on the shores or in the public waters adjacent to any department Wildlife Management Area or Wildlife Conservation Site, unless otherwise specified in code or regulation.

B. Floating waterfowl blinds shall be permitted on the public waters adjacent to any department Wildlife Management Area or Wildlife Conservation Site, unless otherwise specified in code or regulation. Additionally, as permitted in Section §29.1-351 of the Code of Virginia, the distance restrictions set forth in Licenses for Waterfowl Blinds and for Hunting Waterfowl, sections §§ 29.1-340 to 29.1-351.1 of the Code of Virginia shall not apply to floating waterfowl blinds being used on the public waters adjacent to any department Wildlife Management Areas or Wildlife Conservation Sites.

C. For purposes of this regulation, adjacent waters are defined as all water from mean low tide to 600 yards offshore.

D. Any person who holds a 2022-23 non-riparian stationary waterfowl blind licenses in the areas specified in Section A is permitted to renew their license for each of their blinds for the 2023-24 waterfowl hunting seasons. In any case, licenses for these blinds will expire no later than August 15, 2024. Per §29.1-347, blind structures must be removed when the license expires or when the license holder no longer intends to use the blind, whichever occurs first.

E. This section shall not abridge the privileges prescribed for landowners and their lessees and permittees in §§ 29.1-344 and 29.1-347 of the Code of Virginia.

E. This regulation shall not apply to the blinds and public waters in the City of Virginia Beach.

~~4VAC15-260-60. Blinds adjacent to Chickahominy Wildlife Management Area.~~

~~No license shall be issued for stationary waterfowl blinds on Morris Creek and the Chickahominy River in Charles City County adjacent to the Chickahominy Wildlife Management Area.~~

~~4VAC15-260-70. Blinds on Game Farm Marsh Wildlife Management Area.~~

~~No stationary waterfowl blinds shall be licensed, and no stationary or floating blind license shall be required for hunting waterfowl on the Game Farm Marsh Wildlife Management Area, or in, or on, the public waters of the Chickahominy River, north of the New Kent Charles City County line adjacent thereto; provided, however, that this section shall not abridge the privileges prescribed for landowners, and their lessees and permittees, in §§ 29.1-344 and 29.1-347 of the Code of Virginia.~~

~~4VAC15-260-75. Blinds adjacent to the Ware Creek Wildlife Management Area.~~

~~Except for blinds built or maintained by the department, no stationary waterfowl blinds shall be licensed on the public waters of Philbates and Ware Creeks, or on the York River within 1000 yards of the Ware Creek Wildlife Management Area. Waterfowl hunting within 500 yards of the wildlife management area property will be permitted only at locations and during times designated by the department. However, this section shall not abridge the privileges prescribed for landowners and their lessees and permittees in §§ 29.1-344 and 29.1-347 of the Code of Virginia.~~

~~4VAC15-260-80. Blinds adjacent to Ragged Island Wildlife Management Area.~~

~~No license shall be issued for stationary waterfowl blinds in the adjacent waters to mid-channel of Kings Creek and Ragged Island Creek or in the adjacent waters of the James River and Batten Bay within 1000 yards of the Ragged Island Wildlife Management Area in Isle of Wight County.~~

Rationale:

Non-riparian stationary blinds in waters adjacent to public lands prevent float blind hunting within 500 yards in all directions (a 1000-yard diameter), significantly reducing public waterfowl hunting opportunity in these public waters. This proposal provides more equitable opportunity and uniformity in the use of the public waters for waterfowl hunting off the shores of department Wildlife Management Areas and Wildlife Conservation Sites. It would also improve the Department's ability to manage hunter access on these properties.

The proposal provides uniformity in regulatory structure and would apply to new department Wildlife Management Areas and Wildlife Conservation Sites. A number of existing WMAs have waterfowl blind regulations established when those properties were acquired, but minor regulation differences create confusion among waterfowl hunters. These existing regulations could be repealed (4VAC15-260-60, 4VAC15-260-70, 4VAC15-260-75, and 4VAC15-260-80 for Game Farm Marsh, Chickahominy, Ware Creek, and Ragged Island WMAs), standardizing and simplifying waterfowl blind regulations across all department properties.

There is roughly 50 miles of shoreline around current DWR properties that could provide more equitable public hunting opportunities if this proposal were adopted.

Currently, there are currently 5 to 7 non-riparian blind licenses in areas adjacent to existing DWR properties. This proposal would allow those licensees to retain their license for one additional waterfowl hunting season (the 2023-2024 season) prior to having those licenses expire.